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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

AT ANCHORAGE

CITY OF SAINT PAUL, a municipal corporation,	)	
	)	
Plaintiff,	)	
	)	No. 3:97-cv-0181 HRH
vs.	)	
	)	
DONALD EVANS, Secretary of the United States Department of Commerce, and CONRAD C. LAUTENBACHER, JR., Administrator, National Oceanic and Atmospheric Administration, and TANADGUSIX CORPORATION, an Alaska corporation,	)	<b>UNOPPOSED MOTION BY DEFENDANT</b>
	)	<b>AND COUNTERCLAIMANT TANADGUSIX</b>
	)	<b>CORPORATION MODIFYING DEADLINES</b>
	)	<b>IN SCHEDULING ORDER FOR DAMAGES</b>
	)	<b>AND REMEDIES PHASE OF CASE</b>
Defendant.	)	
	)	
	)	

Defendant and counterclaimant Tanadgusix Corporation  
("TDX"), by and through its attorneys of record, Turner & Mede,

P.C. and Law Office of Douglas F. Strandberg, P.S., hereby moves for the entry of the attached modified scheduling order. Such motion has been discussed with the attorneys for plaintiff and counterdefendant City of Saint Paul ("City") and is unopposed by the City.

The modified scheduling order sought by this unopposed motion changes the deadlines by which (a) expert designations are to be served from November 28, 2006 to May 28, 2007, (b) expert reports are to be served from March 29, 2006 to September 28, 2007, (c) lay witness discovery completion from March 29, 2006 to September 28, 2007, (d) expert witness discovery completion from May 28, 2007 to November 28, 2007, (e) filing of discovery motions from June 29, 2007 to December 28, 2007, and (f) filing of summary judgment motions, *in limine* motions and motions for ruling on the law of the case from May 28, 2007 to November 28, 2007.

The reason for this unopposed motion is that the City and TDX are currently engaged in settlement negotiations. The negotiations involve complex land issues and require considerable coordination among the parties and their consultants. The City and TDX believe such negotiations will be materially aided by such extensions.

The parties have recently made considerable progress in their settlement negotiations. Proceeding on the basis that the best way to resolve complex upland, tideland, and access issues on Saint Paul Island, especially the Harbor area, is for TDX and the

City to agree on a subdivision of land in the Harbor area and to locate all existing utilities, they have exchanged several comprehensive draft settlement proposals which have significantly narrowed their differences.

The City and TDX believe that they will need another six months of such efforts to determine if a settlement can be achieved without further involvement of the Court. So by this unopposed motion by TDX they are seeking a six-month extension of each present pretrial deadline.

This unopposed motion does not affect any rights or obligations of the only other parties in this case, the Federal Defendants. As a result, it should be granted by the Court forthwith.

RESPECTFULLY SUBMITTED at Anchorage, Alaska, this 14<sup>th</sup> day of November, 2006.

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s/ Terrance A. Turner  
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Certificate of Service

This is to certify that on this 14<sup>th</sup> day of November, 2006, a copy of the foregoing was served Electronically on:

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